

RECORDED IN THE US BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION  
U.S. VOL. 55 NO. 8269

ORDERED.

Dated: July 20, 2015

  
\_\_\_\_\_  
Jerry A. Funk  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

In re:

Case No.: 3:15-bk-01649-JAF  
Chapter 7

CHARLES S. MAY,

Debtor.  
\_\_\_\_\_/

**ORDER SUSTAINING TRUSTEE'S OBJECTION TO CLAIM SEVEN (7-1) OF WELLS  
FARGO BANK, N.A. AND AVOIDING MORTGAGE LIEN**

This case is before the Court upon the Trustee's Objection to Claim Seven (7-1) of Wells Fargo Bank, N.A. ("Wells Fargo") pursuant to § 547(b) of the Bankruptcy Code. Upon the consents of the parties it is

ORDERED:

1. The Trustee's Objection to Claim Seven (7-1) of Wells Fargo Bank, N.A. is sustained.
2. The lien of Wells Fargo on that certain real property located at 4020 University Boulevard Court, Jacksonville, Florida 32217-2297 and more particularly described as:

A part of Lot 2, as shown on map of Dixie Farms, according to the plat recorded in Plat Book 7, page 12 of the current public records of Duval County, Florida and being more particularly described as follows:

Commencing at the Northwesterly corner of said Lot 2; thence North 53 degrees 02 minutes 40 seconds East along the Northerly line of said Lot 2, 170.00 feet; thence South 31 degrees 15 minutes 50 seconds East, 23.77 feet to a point situate in the Southerly right of way line of University Boulevard and/or State Road No. 109 (formerly Longwood Road) as presently established by the State Department of Transportation (Section 72014-2502, Sheet 3) for a Point of Beginning; thence continue South 31 degrees 15

minutes 50 seconds East, 133.23 feet; thence South 53 degrees 02 minutes 40 seconds West, 5 feet; thence South 31 degrees 15 minutes 50 seconds East, 225.13 feet to a point situate in the Northwesternly line of that certain 60 foot right of way as shown on the aforementioned State Department of Transportation, (Section 72014-2502, Sheet 3); thence North 52 degrees 58 minutes 10 Seconds East along said Northwesternly right of way line, 56.53 feet to the Point of Curvature of a curve to the left having a radius of 120.0 feet; thence around and along said curve and along said Northwesternly right of way line, North 10 degrees 51 minutes 10 seconds East, 160.95 feet (chord bearing and distance) to the Point of Tangency of said curve and the Easterly line of said Lot 2; thence North 31 degrees 15 minutes 50 seconds West along said Easterly line of said Lot 2, 246.79 feet to said Southerly right of way line of University Boulevard, thence South 54 degrees 14 minutes 59 seconds West along said Southerly right of way line of University Boulevard, 133.03 feet to an angle point in the said right of way line; thence South 53 degrees 08 minutes 45 seconds West and continuing along said Southerly right of way line of University Boulevard, 26.71 feet to the Point of Beginning.

is avoided and declared null and void pursuant to 11 U.S.C. §547(b).

3. Within 30 days of the date of this Order, Wells Fargo shall file a release of mortgage lien with the Clerk of Court for Duval County, Florida evidencing the Court's ruling in this Order.

4. The claim of Wells Fargo Bank, National Association (Claim Seven, 7-1) is allowed as a general unsecured claim in the amount of \$3,952,467.60.

Consented to:

**McCONNELL LAW GROUP, P.A.**

**SMITH, GAMBRELL & RUSSELL, LLP**

*/s/ Jerrett M. McConnell*

*/s/ John T. Vian*

By: \_\_\_\_\_

By: \_\_\_\_\_

Jerrett M. McConnell  
Florida Bar No. 0244960  
98 Glenalby Place  
Ponte Vedra, Florida 32081  
Telephone: (904) 824-2222  
jmccConnell@mcConnellLawgroup.com

John T. Vian  
Georgia Bar No. 727286  
Promenade, Ste. 3100  
1230 Peachtree St., N.E.  
Atlanta, GA 30309-3592  
Telephone: (404) 815-3543  
jvian@sgrlaw.com

ATTORNEY FOR VALERIE HALL  
MANUEL, CHAPTER 7 TRUSTEE

ATTORNEY FOR WELLS FARGO

Attorney Jerrett M. McConnell is directed to serve a copy of this order on interested parties and file a proof of service within 3 days of the entry of the order.